

# *Assembly Action Agenda*

March 21, 2017 - 6:00 PM

Regular Meeting

Assembly Chambers, Soldotna, Alaska

*Kelly Cooper*  
Assembly President  
Seat 8-Homer  
Term Expires 2017

*Wayne Ogle*  
Assembly Vice President  
Seat 3 – Nikiski  
Term Expires 2019

*Dale Bagley*  
Assembly Member  
Seat 4 – Soldotna  
Term Expires 2019

*Willy Dunne*  
Assembly Member  
Seat 9 – South Peninsula  
Term Expires 2018

*Paul Fischer*  
Assembly Member  
Seat 7 – Central  
Term Expires 2019

*Jill Schaefer*  
Assembly Member  
Seat 2 – Kenai  
Term Expires 2017

*Brent Hibbert*  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2017

*Kenn Carpenter*  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2017

*Stan Welles*  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2017

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

Any invocation that may be offered at the beginning of the assembly meeting shall be a voluntary offering of a private person, to and for the benefit of the assembly. No member of the community is equenc to attend or participate in the invocation.

**D. ROLL CALL**

**E. COMMITTEE REPORTS**

**F. APPROVAL OF AGENDA AND CONSENT AGENDA**

(All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. Public testimony will be taken. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal equence on the agenda.)

**G. APPROVAL OF MINUTES**

- \*1. March 7, 2017 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

- 1. Kenai Peninsula Economic Development District Quarterly Report, Executive Director Tim Dillion (10 minutes)
- 2. “811 April is Safe Digging Month”, Kelsie Anderson, Communications Specialist for ENSTAR Natural Gas Company (10 minutes)

**J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**  
(3 minutes per speaker; 20 minutes aggregate)

**K. MAYOR'S REPORT**

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for ITB17-011 Central Emergency Services Funny River Fire Station Roof Insulation Repair to Alaska Engineered Truss, LLC, Kenai, Alaska
  - b. Authorization to Award Contract for RFP17-007 Banking Services to First National Bank, Anchorage, Alaska
  - c. Authorization to Award Contract for ITB17-010 Ninilchik School Roof Replacement to Earhart Roofing, Anchorage, Alaska
  - d. Authorization to Award Contract for ITB17-014 Stryker Power Cots and Load Systems Purchase to Stryker Medical of Portage Michigan
3. Other
  - a. Revenue – Expenditure Report – February 2017
  - b. Budget Revision – February 2017
  - c. Certification of the 2016 Real Property Supplemental Assessment Roll

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES** (Testimony limited to 3 minutes per speaker)

- \*1. Ordinance 2016-19-26: Appropriating \$396,978.60 to the Special Assessment Fund for Clarence Drive Road Improvement Special Assessment District (Mayor) (Referred to Finance Committee)
- \*2. Ordinance 2016-19-27: Appropriating \$175,000 from the Borough General Fund and Appropriating \$175,000 in the Kenai Peninsula Borough School Capital Projects Fund for the Chapman Elementary and Other Siding/Window Replacement Projects (Mayor) (Referred to Finance Committee)

- \*3. Ordinance 2016-19-28: Appropriating \$100,000 from the School Maintenance Fund for Snow Removal and Sanding (Mayor) (Referred to Finance Committee)
  - \*4. Ordinance 2016-19-29: Transferring \$193.03 in Residual Fund Balance from the Former Lowell Point Emergency Fire Service Area to the Borough's General Fund (Mayor) (Referred to Finance Committee)
  - 5. ***FAILED TO ENACT*** Ordinance 2017-02: Amending KPB 22.40.080 and Repealing KPB 22.40.090 Which Provide for an Invocation during Assembly Meetings (Dunne) (Referred to Policies and Procedures Committee) [*2 Yes, 7 No, 0 Absent*]
- [Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced ordinance.]*
- \*6. ***AS AMENDED*** Ordinance 2017-04: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Referred to Lands Committee)

**N. UNFINISHED BUSINESS**

**O. NEW BUSINESS**

- 1. Resolutions
  - \*a. Resolution 2017-019: A Resolution to Form the Clarence Drive Road Improvement Assessment District and Proceed with the Improvement (Mayor) (Referred to Finance Committee)
  - \*b. ***AS AMENDED*** Resolution 2017-023: Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Amend the Homer Medical Business Office Lease Agreement for Property Located at 309 W. Fairview Avenue to Include Terms Regarding Early Termination (Mayor) (Referred to Lands Committee)
  - \*c. ***AS AMENDED*** Resolution 2017-024: Classifying Certain Parcels of Borough Owned Land in Nikiski, Kalifornsky, Anchor Point, Cohoe, and Homer Areas (Mayor) (Referred to Lands Committee)
  - \*d. Resolution 2017-025: Approving a Mutual Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Ninilchik Emergency Services (Mayor) (Referred to Policies and Procedures Committee)

- \*e. Resolution 2017-026: Approving an Automatic Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Ninilchik Emergency Services for Fire Apparatus and Personnel (Mayor) (Referred to Policies and Procedures Committee)
- \*f. Resolution 2017-027: Confirming the Appointment of Assembly Member Jill Schaefer to the Kenai Peninsula Economic Development District Board of Directors (Cooper) (Referred to Policies and Procedures Committee)
- \*g. Resolution 2017-028: Confirming the Appointment of Assembly Member Brent Hibbert to the Kenai River Special Management Area Advisory Board (Cooper) (Referred to Policies and Procedures Committee)
- h. ***ADOPTED*** Resolution 2017-029: Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America’s National Park System (Dunne, Carpenter, Mayor) (Referred to Legislative Committee) [***8 Yes, 1 No, 0 Absent***]

2. Ordinances for Introduction

- \*a. Ordinance 2016-19-30: Appropriating Supplemental Funding in the Amount of \$65,000 for Legal Costs Relating to Defending the Borough against a Complaint Filed with the Regulatory Commission of Alaska (Mayor) (Hearing on 04/04/17) (Referred to Finance Committee)

3. Other

- a. ***APPROVED*** Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store License Application Filed by Alaskan Cannabis Outfitters, Homer, AK (Referred to Finance Committee) [***6 Yes, 3 No, 0 Absent***]  
 Subject to the following conditions:
  1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
  2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
  3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).

4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.

**P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. April 4, 2017 Regular Assembly Meeting 6:00 PM  
Assembly Chambers, Borough Administration Building

**R. ASSEMBLY COMMENTS**

**S. PENDING LEGISLATION** (This item lists legislation which will be addressed at a later date as noted.)

**T. INFORMATIONAL MATERIALS AND REPORTS**

**U. NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on April 4, 2017, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office and in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at [www.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*